

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court
Southern District of Texas
FILED

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

SEP 23 2014

UNITED STATES OF AMERICA

David J. Bradley, Clerk

V.

CRIMINAL COMPLAINT

Oscar Juventino DE LOS REYES-Guerra Jr., YOB: 1991
MXC

CASE NUMBER: M-14-1854-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 9/22/2014 in Starr county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

Knowingly and Intentionally possess with Intent to Distribute 500.5 kilograms or more of Marijuana, a Schedule I Controlled Substance.

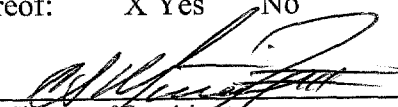
Knowingly and Intentionally Conspire to possess with Intent to Distribute 500.5 kilograms or more of Marijuana, a Schedule I Controlled Substance

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Task Force Officer and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

Approved by
Joseph T. Leonard


Signature of Complainant
Cosme Muniz III, DEA Task Force Officer

Sworn to before me and subscribed in my presence,

September 23, 2014

Date

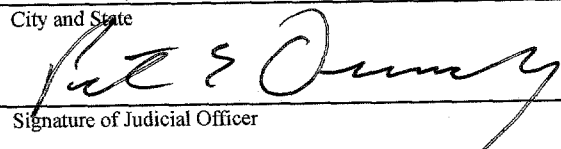
8:51 am At

McAllen, Texas

City and State

Peter Ormsby, U.S. Magistrate Judge

Name & Title of Judicial Officer


Signature of Judicial Officer

ATTACHMENT

On September 22, 2014, at approximately 6:25 p.m., Border Patrol Agent (BPA) Samuel Reyes and Special Operations Supervisor Leslie James were advised by an air asset (Omaha 23) of cross border activity in La Grulla, Texas. Omaha 23 was conducting surveillance on a vehicle traveling south towards the Rio Grande River's edge near an area known as the "La Grulla Pump". Omaha 23 was able to maintain surveillance on the vehicle as it was being loaded at the river bank and subsequently driven away from the river area. Omaha 23 was able to guide USBP Agent Reyes towards the load vehicle's location as it traveled north until reaching the intersection of Leopoldo Longoria Road and Farm to Market Road 2360. At this point, USBP Agent Reyes encountered the load vehicle and performed a vehicle stop on a white 1999 Dodge Ram Van bearing Texas license plates CYR2811. The driver, later identified as Oscar Juventino DE LOS REYES-Guerra Jr., pulled over at the intersection and immediately ran away from the vehicle. USBP Agent Reyes maintained visual of the subject as DE LOS REYES-Guerra Jr. attempted to abscond in a northeastern direction. After a short foot pursuit, USBP Agent Reyes was able to detain DE LOS REYES-Guerra Jr. An immediate search of the vehicle resulted 61 bundles of compressed marijuana with an approximate weight of 500.5 kilograms. The marijuana and DE LOS REYES-Guerra Jr. were transported to the Rio Grande City Border Patrol Station for processing. Once at the station, the Drug Enforcement Administration (DEA) was contacted regarding the seizure and arrest.

DEA Task Force Officer (TFO) Cosme A. Muniz III and TFO Carlos Mireles arrived at the Rio Grande City Border Patrol Station. Agents identified themselves and read DE LOS REYES-Guerra Jr. his Miranda Warnings. DE LOS REYES-Guerra Jr. waived his rights and agreed to speak to Agents. DE LOS REYES-Guerra Jr. stated he was approached by an unknown male subject at the Wal-Mart in Harlingen, Texas, on Sunday, September 13, 2014. The unknown male subject asked DE LOS REYES-Guerra Jr. if he wanted to work moving marijuana. DE LOS REYES-Guerra Jr. stated he told the unknown male subject he did not want to work moving marijuana. The unknown male subject then threatened DE LOS REYES-Guerra Jr. that he did not have a choice and was going to work for him. DE LOS REYES-Guerra Jr. stated that on Monday, September 22, 2014, he received a phone call early in the morning telling him he had to move a load of marijuana. DE LOS REYES-Guerra Jr. stated the unknown male subject picked him up in Sebastian, Texas, and was then driven to La Grulla, Texas, where he picked up a van. DE LOS REYES-Guerra Jr. then drove the van a short distance and picked up a second unknown male subject. The second unknown male subject then drove the van to the Rio Grande River where the vehicle was loaded with the marijuana. DE LOS REYES-Guerra Jr. stated the second unknown male subject then drove the van back to the main road, stopped and exited the van. DE LOS REYES-Guerra Jr. was then instructed to drive the van away from the location. At this time, DE LOS REYES-Guerra Jr. stated he observed a Border Patrol marked unit parked on the roadway. DE LOS REYES-Guerra Jr. stated he began to drive away from the USBP Agents in an attempt to elude the units. DE LOS REYES-Guerra Jr. stated the van then turned off on him, so he fled on foot from the Border Patrol Agents. After a short foot pursuit, DE LOS REYES-Guerra Jr. was apprehended. Agents asked DE LOS REYES-Guerra Jr. why he ran away from the Agents and DE LOS REYES-Guerra Jr. because he was afraid. The interview was then terminated. TFO Muniz contacted AUSA Kim Leo and provided her with the facts on this case. AUSA Kim Leo accepted the case for Federal Prosecution.